

**EQC ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
JUNE 8, 2006**

BUREAU OF LAND AND WASTE MANAGEMENT

UST Enforcement

- 1) Order Type and Number: Consent Order 05-00087-UST
 Order Date: April 6, 2006
 Respondent: **Mike Bagwell & Brady Freeman**
 Facility: Travieler Truck Cover &
 Accessories
 Location/Mailing Address: 1500 Wade Hampton Blvd.
 Greenville, SC 29609
 County: Greenville
 Previous Orders: None
 Permit/ID Number: 19108
 Violations Cited: UST Control Regulations, R.61-92,
 §280.72(a)&(b); SUPERB Act 44-2-60(A).

Summary: Mike Bagwell and Brady Freeman (Respondents) owned underground storage tanks located at 1500 Wade Hampton Boulevard in Greenville, South Carolina. The Respondents have violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to conduct a closure assessment; and, failure to pay tank registration fees.

Action: The Respondents agreed to submit the closure assessment and pay outstanding tank registration fees in the amount of one thousand two hundred ten dollars (\$1,210.00) within 30 days. If the violations are corrected as agreed, the civil penalty of two hundred fifty dollars (**\$250.00**) will be **suspended**.

Solid Waste Enforcement

- 2) Order Type and Number: Consent Order 06-01-MSWM
 Order Date: April 11, 2006
 Respondent: **Mr. Walt Klima**
 Facility: Unpermitted Mine
 Location/Mailing Address: 3485 S.C. Highway 25
 Travelers Rest, SC 29690
 County: Greenville
 Previous Orders: None

Permit/ID Number: None
Violations Cited: South Carolina Mining Act (Act),
S.C. Code Ann. § 48-20-60 (Supp. 2004).

Summary: Mr. Walt Klima (Respondent) conducted unpermitted mining activities at a site in Greenville County (Site), in that he excavated sand clay, charged a loading fee, and allowed the material to be taken offsite for commercial use.

Action: The Respondent is required to submit to the Department a reclamation plan to stabilize the Site and return the affected acreage to a useful purpose; and to continue to comply with the Department's Cease and Desist at the Site (with the exception of ongoing SCDOT projects) until he obtains the appropriate mining permit from the Department. The Department assessed a civil penalty in the amount of one thousand dollars **(\$1,000.00)**; which has been **suspended** pending compliance with the requirements of the Order.

3) Order Type and Number: Consent Order 06-03-SW
Order Date: April 4, 2006
Respondent: **Jenner Trucking & Construction,
Inc. d.b.a. Jenner
Recycling Site – Wood Processing
Facility**
Facility: Jenner Recycling Site – Wood
Processing Facility (Site)
Location/Mailing Address: 136 Whippoorwill Dr.
Summerville, SC 29483
County: Dorchester
Previous Orders: None
Permit/ID Number: 182717-3001
Violations Cited: South Carolina Solid Waste Policy
and Management Act of 1991 (2002) (Act), 25A S.C. Code Ann. Reg.
(Regulation) (Supp. 2004) 61-107.4: E.2., E.3.c., F.11.c., and G.1.; and,
Composting and Wood-Chipping Registration # 182717-3001.

Summary: Jenner Trucking & Construction, Inc. d.b.a. Jenner Recycling Site – Wood Processing Facility (Respondent), violated its Registration and the Regulation by: failing to follow acceptable management practices as defined in the approved facility operation and maintenance plan; failing to maintain adequate buffers and fire lanes at the Site; exceeding the Site's storage limit for unprocessed wood waste; and by failing to adjust financial assurance for the Site on an annual basis.

Action: The Respondent is required to comply with its Registration within ninety (90) days of the Order Receipt Date and to pay to the Department a civil

penalty of six thousand six hundred dollars **(\$6,600.00)** in four (4) quarterly payments of one thousand six hundred fifty dollars (\$1,650.00).

- 4) Order Type and Number: Consent Order 06-05-SW
 Order Date: April 4, 2006
 Respondent: **Danny Lee Husk, Jr., d.b.a.**
 Facility: **Tire Central**
 Location/Mailing Address: Viceroy Lane, Warrentville,
 SC/PO Box 814,
 Gloverville, SC 29828

 County: Aiken
 Previous Orders: None
 Permit/ID Number: N/A
 Violations Cited: South Carolina Solid Waste Policy
 and Management Act of 1991 (2002), S.C. Code Ann. §§ 44-96-100 & 44-
 96-170 (H) (2) & (3); Waste Tires Regulation, 25A S.C. Code Ann. Regs.
 61-107.3, Section (E) (1) & (3) (Supp. 2003).

Summary: Danny Lee Husk, Jr. (Respondent), a tire retailer who owned Tire Central in North Augusta, violated South Carolina law by unlawfully disposing of approximately 1,200 waste tires on the property of Mr. David G. Toole on Viceroy Lane, in Warrentville, South Carolina (Site). The Site was cleaned up using a Department tire grant.

Action: The Respondent is required to pay a civil penalty in the amount of nine hundred dollars **(\$900.00)**. The penalty is to be paid in four (4) equal installments of two hundred twenty-five dollars (\$225.00).

- 5) Order Type and Number: Consent Order 06-06-SW
 Order Date: April 24, 2006
 Respondent: **Clarendon County C&D/LCD**
 Landfill
 Facility: Clarendon County C&D/LCD
 Landfill
 Location/Mailing Address: Hwy 100/ P.O. Box 486
 Manning, SC /Manning, SC 29102

 County: Clarendon
 Previous Orders: None
 Permit/ID Number: 141001-1203
 Violations Cited: South Carolina Solid Waste Policy
 and Management Act of 1991, Construction, Demolition and Land-Clearing
 Debris Landfills Regulation, 25A S.C. Ann. Reg. 61-107.11, Part II, A.11 (Supp.
 2004), Permit# 141001-1203.

Summary: Clarendon County operates Clarendon County C&D/LCD Landfill (Landfill) in Clarendon County, South Carolina. The Landfill exceeded the 6,000 tons per year limit set by the Landfill's permit. This constitutes a violation of the Regulation and the Permit.

Action: The Respondent is required to ensure that the annual tonnage disposal limit required by the Permit will not be exceeded. The Order also requires the Landfill to pay a civil penalty of one thousand eight hundred dollars (\$1,800.00).

BUREAU OF WATER

Drinking Water Enforcement

6) Order Type and Number: Administrative Order 06-043-DW
Order Date: March 3, 2006
Respondent: **River Pines Water System, Inc.**
Facility: Woodforest Subdivision
Location/Mailing Address: 2 5th Street
Charleston, S.C. 29403
County: York
Previous Orders: AO 04-138-DW (\$15,000)
(Woodforest S/D)
Permit/ID Number: 4650021
Violations Cited: 24A S.C. Code Ann. Regs. 61-58.5(C), 61-58.6(E), 61-58.11(H)(3), 61-58.7 and 61-30(G)(2)

Summary: River Pines Water System, Inc. and River Pines Water System, Inc. d/b/a Woodforest Subdivision Public Water System (PWS) (Respondents) are responsible for the proper operation and maintenance of a PWS. The Respondents have violated the State Primary Drinking Water Regulations and Environmental Protection Fees Regulation as follows: failure to properly abandon wells that are no longer used and not converted to another active use; failure to perform nitrate monitoring for the 2005 monitoring period; failure to issue public notice for the nitrate non-monitoring; failure to perform lead and copper monitoring for the June-September 2003 and June-September 2004 monitoring periods; and failure to pay State Safe Drinking Water Fees for the 2005 fiscal year.

Action: The Respondents have been ordered to: issue public notice for the nitrate non-monitoring violation; contact and secure a South Carolina certified well driller for the purpose of properly abandoning all wells drilled at the property that have not been approved by the Department for further use; pay the past due State Safe Drinking Water Fees totaling one thousand seven hundred forty-six

dollars and twenty-five cents (\$1,746.25); and pay a civil penalty in the amount of ten thousand dollars (\$10,000.00).

Water Pollution Enforcement

- 7) Order Type and Number: Administrative Order 05-175-W
 Order Date: November 28, 2005
 Respondent: **Victor M. Williams**
 Facility: Orangeburg Septic Tank Service and
 Williams Plumbing and Septic Tank
 Service
 Location/Mailing Address: 448 Drag Strip Road
 Neeses, S.C. 29107
 County: Orangeburg
 Previous Orders: None
 Permit/ID Number: Unpermitted
 Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987)

Summary: Victor M. Williams d/b/a Orangeburg Septic Tank Service and Williams Plumbing and Septic Tank Service (Respondent) located in Orangeburg, South Carolina, owns and is responsible for the proper removal, transportation, and disposal of septic tank waste, or septage. The Respondent has violated the Pollution Control Act as follows: discharged septage into the environment in a manner other than in compliance with a permit issued.

Action: The Respondent has been ordered to: comply with all applicable State and Federal regulations; provide proof of publication of an apology in a newspaper of general circulation; submit copies of all septage removal and disposal records for the last 2 years; by the 10th of each month for a 6 month period submit the removal and disposal records for the previous month; and pay a civil penalty in the amount of ten thousand one hundred fifty dollars (\$10,150.00).

- 8) Order Type and Number: Consent Order 06-062-W
 Order Date: April 24, 2006
 Respondent: **Pepsi Bottling Group**
 Facility: Pepsi Bottling Group
 Location/Mailing Address: 6925 North Main Street
 Columbia, S.C. 29203
 County: Richland
 Previous Orders: None
 Permit/ID Number: SCG250021

Violations Cited: S.C. Code Ann § 48-1-110(d)(1) (Supp. 2005) and 24 S.C. Code Ann. Regs. 69.9-122.21(d)(1) (Supp. 2005)

Summary: Pepsi Bottling Group (Respondent) owns and is responsible for the proper operation and maintenance of a utility water treatment and discharge system that serves its industrial facility (Site). The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: failure to submit an administratively complete application for the renewal of its permit at least 180 days prior to the expiration date of the existing permit and discharged utility water into the environment, including waters of the State other than in compliance with a permit issued by the Department.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with all applicable State and Federal laws and regulations; continue to operate the utility water treatment system and discharge in accordance with the most recent NPDES permit until a new permit becomes effective; submit an administratively complete application for permit renewal or cease and desist all discharges; and pay a civil penalty in the amount of one thousand four hundred dollars (**\$1,400.00**).

9) Order Type and Number: Consent Order 06-065-W
Order Date: April 20, 2006
Respondent: **Shanti Hospitality and Anita, Inc.**
Facility: Budget Inn/Economy Lodge
Location/Mailing Address: 5505 Highway 187
Anderson, S.C. 29625
County: Anderson
Previous Orders: 04-077-W (\$6,400)
Permit/ID Number: SC0023311
Violations Cited: S.C. Code Ann. § 48-1-110(d) (Supp. 2005), 24 S.C. Code Ann. Regs 61.9.122.41(e) (Supp. 2005), 61.9.122.41(j)(3) (Supp. 2005), and 61-9.600.4(a) (Supp. 2005)

Summary: Shanti Hospitality, Inc. (Respondent 1) and Anita, Inc. (Respondent 2) are responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) serving the Budget Inn/Economy Lodge. The Respondents have violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: failed to properly operate and maintain the WWTF in accordance with the National Pollutant Discharge Elimination System (NPDES) Permit; failed to submit administratively complete discharge monitoring reports (DMRs); and failed to submit financial and other documents required to properly transfer the ownership of the WWTF from Respondent 1 to Respondent 2.

Action: The Respondents have agreed to: comply with all applicable State and Federal regulations; submit the financial and other documents necessary to properly transfer the ownership from Respondent 1 to Respondent 2; submit a preliminary engineering report (PER); submit plans, specifications and an administratively complete application for a permit to construct necessary upgrades; and begin and complete construction of the upgrades. The civil penalty in the amount of six thousand dollars **(\$6,000.00)** has been **suspended** pending completion of the requirements of the Order.

- 10) Order Type and Number: Consent Order 06-069-W
 Order Date: April 24, 2006
 Respondent: **Town of St. Matthews**
 Facility: South Plant
 Location/Mailing Address: P.O. Box 172
 St. Matthews, S.C. 29824
 County: Calhoun
 Previous Orders: 00-222-W (\$6800) and 03-011-W
 (\$6800)
 Permit/ID Number: SC0028801
 Violations Cited: S.C. Code Ann. § 48-1-110(d)
 (Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.122.41(a)(1) (Supp.2005)

Summary: The Town of St. Matthews (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) located at the end of Dogwood Acres Trail, that serves the businesses and residents in its designated service area. The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to comply with the effluent limits for Whole Effluent Toxicity (WET).

Action: The Respondent has agreed to: initiate a series of WET tests beginning on the first full month following the date of the execution of the Order with the results submitted within 45 days of test completion; if, at any time during the accelerated testing period, the effluent from the WWTF is in violation of the Respondent's WET permit limits, the Respondent shall conduct a Toxicity Reduction Evaluation (TRE); and pay a civil penalty in the amount of eight thousand dollars **(\$8,000.00)**.

BUREAU OF AIR QUALITY

- 11) Order Type and Number: Consent Order 06-015-A
 Order Date: April 19, 2006
 Respondent: **Enviro-Tech Abatement Services**
 Company

<u>Facility:</u>	Enviro-Tech Abatement Services Co.
<u>Location/Mailing Address:</u>	118 Fairfield Avenue Rock Hill, S. C. 29732
<u>Counties:</u>	Orangeburg County York County
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	N/A
<u>Violations Cited:</u>	South Carolina Air Pollution Control Regulation 61-86.1, <u>Standards of Performance for Asbestos Projects.</u>

Summary: Enviro-Tech Abatement Services Company (Respondent) is a licensed asbestos abatement contractor. The Respondent violated State asbestos regulations as follows: failed to attach polyethylene sheeting securely in place and to maintain it properly at all times while completing a National Emission Standards for Hazardous Air Pollutants (NESHAP) project; failed to provide a clear viewing port in an external wall of the contained work area to allow unobstructed observation of abatement activities in the work area while completing a NESHAP project; failed to maintain stored asbestos waste in a secured, locked location where access was controlled; failed to line the asbestos waste storage container with 6-mil polyethylene sheeting in a manner to prevent contamination; failed to line the cargo area of the transport vehicle with 6-mil polyethylene sheeting; failed to isolate any equipment stored in the waste transport vehicle from the asbestos waste by a leak-tight barrier; and failed to display visible warning and danger signs on the asbestos waste transport vehicle.

Action: The Respondent has agreed to: adhere to the required work practice requirements for all asbestos abatement projects involving regulated asbestos-containing materials; use polyethylene sheeting to isolate contaminated from uncontaminated areas and ensure that it is properly maintained at all times; construct a clear viewing port measuring at least 24 inches by 24 inches in an external wall of the contained work area to allow unobstructed observation of abatement activities in the work area; line metal dumpsters or containers in which asbestos waste is temporarily stored at the abatement site with 6-mil polyethylene sheeting to prevent contamination, and equip metal dumpsters or containers with doors and tops which will remain closed and locked except during loading or unloading asbestos waste; line the cargo area of the transport vehicle with 6-mil polyethylene sheeting and isolate any equipment stored in the waste transport vehicle from the asbestos waste by a leak-tight barrier; display visible warning and danger signs on the asbestos waste transport vehicle; and pay a civil penalty in the amount of twelve thousand dollars (**\$12,000.00**).